

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES FERRANTI and GINA FERRANTI,

Defendants.

Case No.

District Judge  
Magistrate Judge

**COMPLAINT**

At the direction of a delegate of the Attorney General and with the authorization of a delegate of the Secretary of the Treasury, both pursuant to 26 U.S.C. § 7401, the United States of America brings this civil action requesting a judgment finding the Defendants liable for unpaid internal revenue taxes. For its complaint, the United States alleges as follows:

**JURISDICTION AND PARTIES**

1. The United States District Court has subject-matter jurisdiction over this action pursuant to 26 U.S.C. § 7402(a) and 28 U.S.C. §§ 1331, 1340, 1345.
2. James Ferranti resides in Monmouth County, New Jersey.
3. Gina Ferranti resides in Monmouth County, New Jersey.

**COUNT ONE**  
**Claim Against James Ferranti for Income Tax Liabilities**

4. Pursuant to 26 U.S.C. §§ 6201, 6203, a delegate of the Secretary of the Treasury assessed James Ferranti with the income tax and associated penalties described below:

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2009		
Assessment Date	Assessment Type	Assessed Amount
07/16/2012	Income tax per audit of income not reported on return electing the status married filing separately.	\$40,481.00
07/16/2012	Accuracy penalty on underpayment of tax. I.R.C. § 6662.	\$8,096.00

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2010		
Assessment Date	Assessment Type	Assessed Amount
09/19/2011	Income tax per return electing the status married filing separately.	\$275,234.70
09/19/2011	Penalty for failure to pay estimated tax. I.R.C. § 6654.	\$3,925.00
09/19/2011	Penalty for failure to pay tax per return. I.R.C. § 6651(a)(2)-(3).	\$7,846.71
10/14/2013	Additional income tax per audit of income not reported on return.	\$46,450.00
10/14/2013	Accuracy penalty on underpayment of tax. I.R.C. § 6662.	\$9,290.00

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2011		
Assessment Date	Assessment Type	Assessed Amount
11/19/2012	Income tax per return electing the status married filing separately.	\$123,115.00
11/19/2012	Penalty for failure to pay estimated tax. I.R.C. § 6654.	\$566.00
11/19/2012	Penalty for failure to pay tax per return. I.R.C. § 6651(a)(2)-(3).	\$3,029.24

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2012		
Assessment Date	Assessment Type	Assessed Amount
11/18/2013	Income tax per return electing the status married filing separately.	\$181,716.00
11/18/2013	Penalty for failure to pay estimated tax. I.R.C. § 6654.	\$271.64
11/18/2013	Penalty for failure to pay tax per return. I.R.C. § 6651(a)(2)-(3).	\$2,601.72
03/23/2015	Additional income tax per audit of income not reported on return.	\$8,194.00
03/23/2015	Accuracy penalty on underpayment of tax. I.R.C. § 6662.	\$1,639.00

5. Pursuant to 26 U.S.C. § 6303, notice and demand for payment of the liabilities described in above paragraph 4 was given to James Ferranti.

6. James Ferranti failed to fully pay the liabilities described in above paragraph 4. After application of payments, abatements, and credits, Mr. Ferranti remains liable to the United States in the amount of \$864,823.29, plus interest and other statutory additions accruing from and after December 31, 2021, itemized as follows:

Tax Type	Year Ending	Balance on 12/31/2021
Income	12/31/2009	\$69,391.51
Income	12/31/2010	\$541,749.50
Income	12/31/2011	\$129,723.50
Income	12/31/2012	\$123,958.78
	Total	\$864,823.29

**COUNT TWO**  
**Claim Against James Ferranti and Gina Ferranti, jointly and severally,**  
**for Income Tax Liabilities**

7. Pursuant to 26 U.S.C. §§ 6201, 6203, a delegate of the Secretary of the Treasury jointly assessed James Ferranti and Gina Ferranti with the income tax and associated penalties described below:

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2014		
Assessment Date	Assessment Type	Assessed Amount
11/23/2015	Income tax per return electing the status married filing jointly.	\$166,381.00
11/23/2015	Penalty for failure to pay tax per return. I.R.C. § 6651(a)(2)-(3).	\$1,347.52

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2017		
Assessment Date	Assessment Type	Assessed Amount
11/19/2018	Income tax per return electing the status married filing jointly.	\$297,595.00
11/19/2018	Penalty for failure to pay estimated tax. I.R.C. § 6654.	\$2,767.00

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2017		
Assessment Date	Assessment Type	Assessed Amount
11/19/2018	Penalty for failure to timely file return. I.R.C. § 6651(a)(1).	\$34,309.80
11/19/2018	Penalty for failure to pay tax per return. I.R.C. § 6651(a)(2)-(3).	\$6,098.74
11/16/2020	Additional tax assessed per audit.	\$69,735.00
11/16/2020	Penalty for failure to timely file return. I.R.C. § 6651(a)(1).	\$16,703.00
11/16/2020	Accuracy penalty on underpayment of tax. I.R.C. § 6662.	\$13,947.00

INCOME TAX FOR YEAR ENDING DECEMBER 31, 2018		
Assessment Date	Assessment Type	Assessed Amount
11/04/2019	Income tax per return electing the status married filing jointly.	\$61,318.00
09/27/2021	Additional income tax per audit of income not reported on return.	\$158,315.00
09/27/2021	Accuracy penalty on underpayment of tax. I.R.C. § 6662.	\$31,663.00

8. Pursuant to 26 U.S.C. § 6303, notice and demand for payment of the liabilities described in above paragraph 7 was given to James Ferranti and Gina Ferranti.

9. James Ferranti and Gina Ferranti failed to fully pay the liabilities described in above paragraph 7. After application of payments, abatements, and credits they remain liable, jointly and severally, to the United States in the amount of \$325,033.63, plus interest and other statutory additions accruing from and after December 31, 2021, itemized as follows:

Tax Type	Year Ending	Balance on 12/31/2021
Income	12/31/2014	\$52,474.32

Tax Type	Year Ending	Balance on 12/31/2021
Income	12/31/2017	\$165,326.58
Income	12/31/2018	\$107,232.73
	Total	\$325,033.63

WHEREFORE, the United States of America requests a judgment finding and directing as follows:

A. James Ferranti is liable to the United States for income tax, penalty, and interest for the calendar years ending on December 31, 2009, December 31, 2010, December 31, 2011, and December 31, 2012, in the amount of \$864,823.29, plus interest (under 26 U.S.C. §§ 6601, 6621-6622 and 28 U.S.C. § 1961(c)) and other statutory additions in the Internal Revenue Code accruing from and after December 31, 2021.

B. James Ferranti and Gina Ferranti are liable to the United States, jointly and severally, for income tax, penalty, and interest for the calendar years ending on December 31, 2014, December 31, 2017, and December 31, 2018, in the amount of \$325,033.63, plus interest (under 26 U.S.C. §§ 6601, 6621-6622 and 28 U.S.C. § 1961(c)) and other statutory additions in the Internal Revenue Code accruing from and after December 31, 2021.

C. Awarding the United States the costs it incurs for this action and any other relief that the Court deems just and proper.

Respectfully submitted,

DAVID A. HUBBERT  
Deputy Assistant Attorney General  
U.S. Dept. of Justice, Tax Division

Monday, January 24, 2022

*Of Counsel:*

PHILIP R. SELLINGER  
United States Attorney

/s/ L. Steven Schifano

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